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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,354	10/08/2002	Chin-Lin Chang	9155-US-PA	3999

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EXAMINER

LEE, CHEUKFAN

ART UNIT PAPER NUMBER

2625

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/065,354

Applicant(s)

CHANG, CHIN-LIN

Examiner

Cheukfan Lee

Art Unit

2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered ~~and an explanation of how the new or amended claims would be rejected is provided below or appended.~~
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 1-11 and 19-28.
Claim(s) objected to: _____.
Claim(s) rejected: 13-18.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the following (see Continuation Sheet):.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


Cheukfan Lee

Continuation of 5. Applicant's reply has overcome the following objections and rejection(s):

Objections:

The objection of claim 7, the objection of the specification, and the objection of the drawings set forth in items 3-5, respectively, of the Final Office Action dated September 11, 2006. The objections to the drawings and specification are withdrawn because, although a claim is claimed, the examiner agrees with Applicant that the specification and drawings do not need to describe and show a flowchart corresponding to the claimed method, in the instant case.

Rejections:

1) The art rejections of claims 1, 6, 22, 26 and their dependent claims 2-5, 7, 8, 23-25, 27, and 28 are withdrawn. In a review of the Final Office Action and Applicant's reply filed November 13, 2006, it is found that, although Natori (U.S. Patent No. 4,908,717) states that a light source of an image scanner, such as a fluorescent lamp, has suffered a disadvantage that the intensity of illumination around both end portions of the fluorescent light tube of the lamp is remarkably reduced, during prolonged use, consequently to make the distribution of light uneven (col. 1, lines 22-27), and discusses various means for and methods of generating a more uniform illumination distribution at the light source output, Natori does not suggest that the means and methods include employing a first light source and a second light source at the end of the light tube as claimed. It is concluded that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to include a first light source and a light source as claimed.

In addition, the examiner agrees with Applicant on that the coating material (phosphor 24) on the light tube of Ichikawa et al. (U.S. Patent No. 6,919,974) is not total reflective material, a material claimed in independent claims 1 and 26. Ichikawa et al. discloses that "A reflective film may be provided between the tube 21 and the phosphor 24" except the angle range α (col. 4, lines 14-16).

2) The art rejections of claims 9 and 19 and their dependent claims 10, 11, 20, and 21 are withdrawn. The examiner agrees with Applicant on that the phosphor coating (24) on the light tube of Ichikawa et al. (6,919,974) is not a total reflective material, a material claimed in claims 9 and 19, and the fluorescent coating of Beeman (U.S. Patent No. 6,917,452) is not a total reflective material, a material claimed in claims 9 and 19, although Beeman teaches applying the coating such that the density of the coating at the two end portions of the light tube is higher than that at the center portion as claimed. Ichikawa et al. discloses that "A reflective film may be provided between the tube 21 and the phosphor 24" except the angle range α (col. 4, lines 14-16).

Continuation of 11. The rejections of claims 13-18 under 35 U.S.C. 112, 2nd paragraph stand.

Applicant's arguments filed November 13, 2006 are not found convincing. Claim 13 claims a scanner light source comprising "means for sensing at least a portion of the emitted light", which means that the "means for sensing ..." is part of the light source. Applicant quoted the section of paragraph [0013] (see page 8 of Applicant's remarks), "From the above descriptions, this invention provides a special optical light source scanner with self-collection ability, it can collect the scattering light into a light beam, then emits the light beam on the document line to be scanned, and therefore, the light intensity on the scan line is greatly enhanced. Also, using the auxiliary light sources can further improve the uniformity of light flux received by the light-detecting device." Applicant then submitted that the limitation "means for sensing" is adequately enabled at least by paragraph [0013].

As the content of paragraph [0013] and the contents of other paragraphs [0012, 0026, and 0027] are understood, the "light-detecting device" emphasized by Applicant is not part of the scanner light source but only a part of the scanner. The "light-detecting device" of [0012 and 0013] or the "light sensors" of [0027] is understood to refer to a light sensor, such as the light sensor (170) of prior art Fig. 1A described in paragraph [0007], for detecting light from the document line being scanned, which is illuminated with light from the light source. This device or sensor(s) is not part of the light source. Nowhere in the specification describes a light-detecting device or light sensor that is part of the light source. The drawings do not show such either.